



Docket No: 4010.3004 US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bernadene Ann Magnuson, Monica M. Giusti, Minnie Malik and Cuiwei Zhao

Application No.: 10/795,967

Group Art Unit: 1653

Filed: March 8, 2004

Examiner: Not Yet Assigned

Confirmation No.: 8630

Title: ANTHOCYANIN-RICH COMPOSITIONS AND METHODS FOR INHIBITING
CANCER CELL GROWTH

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
9/22/04	<i>Rachel Meehan</i>
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Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application
filewrapper. (Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

(Applies to original applications (other than design) filed on or after May 29, 2000)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in -§ 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.
[The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

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The Examiner is requested to return a copy of the list of pending applications indicating which references were considered with the next office communication.

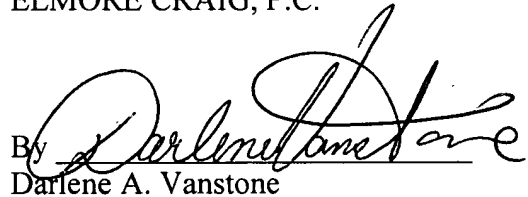
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
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Respectfully submitted,

ELMORE CRAIG, P.C.

By 
Darlene A. Vanstone

Registration No.: 35,729

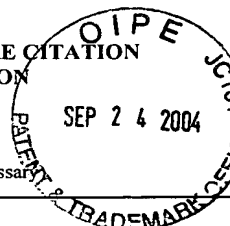
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Dated: 9/22/04

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 4010.3004 US1	APPLICATION NO. 10/795,967	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION July 23, 2004 (Use several sheets if necessary)		FIRST NAMED APPLICANT Bernadene A. Magnuson		
		FILING DATE March 8, 2004	CONFIRMATION NO. 8630	GROUP 1653



U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	2001/0016573	08-23-2001	Nair <i>et al.</i>
	AB	2003/0031734	02-13-2003	Rosen

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
AR	B.A. Magnuson, C. Zhao, G. Lala, Y. Kwon, T. Yu, J. Friedman, C. Obele, and M. Malik. 2003. Anthocyanin-rich extracts inhibit growth of human colon cancer cells and azoxymethane-induced colon aberrant crypts in rats. <i>Proceedings of the Frontiers in Cancer Prevention Research Conference</i> . B182. Oct 26-30, Phoenix, AZ. POSTER	
AS	C. Zhao, M. Malik, B.A. Magnuson, M.P. Moyer, M.M. Giusti. 2003. The inhibitory effect of different anthocyanin-rich extracts on cancer cell growth. <i>Institute of Food Technologists Annual Meeting</i> . July, Chicago, IL. POSTER	
AT	C. Zhao, T. Yu, M. Malik, L.W. Douglass, B.A. Magnuson. 2003 Growth inhibition of HT-29 colon cancer cells by various berry extracts. <i>The American Association for Cancer Research 94th Annual Meeting</i> , July 11-14, Washington DC. POSTER	
AU	M. Malik, L. Zhao, N.W. Schoene, M.M. Giusti, M.P. Moyer, B.A. Magnuson. 2002. Inhibition of colon cancer cell growth by anthocyanin-rich extracts from fruits. <i>Colon Cancer: Genes to Prevention</i> . Philadelphia. PA. March 7-10. POSTER	
AV	B. Magnuson. 2002. Evidence of cancer inhibition by anthocyanin-rich extracts. International Workshop on Anthocyanins. Adelaide, Australia, April 17-19. SLIDE PRESENTATION	
AW	Malik, Minnie, "Anthocyanin-Rich Extract From <i>Aronia melanocarpa</i> E. Induces a Cell Cycle Block in Colon Cancer but Not Normal Colonic Cells," <i>Nutrition and Cancer</i> , 46(2): 186-196 (2003).	
AX	M.Malik, C.Zhao, T.Wang, B.A.Magnuson. 2003. Cyanidin-3 galactoside, a major anthocyanin present in fruit extract of <i>Aronia melanocarpa</i> , affect growth and gene expression in colon cancer cells. The American Association for Cancer Research 94 th Annual Meeting, July 11-14, Washington DC. POSTER	

EXAMINER	DATE CONSIDERED
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